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since thene has not been least Representation from Virginia of any misunderstand betwixt ye Gov^{r} and ye Inhabitants there, that this might be suspended awhile and see if it could be Compromised, and by what I can learne there is noe Solid foundation for this dispute, soe I have under y^{e} rose got my Lord O: to write to Coll. Spo: to accomodate this matter soe that this treviall resent^{mt} may be laid in Oblivion. I have write to Coll. Sp: upon this Subject, and have frankly acquainted him wth my poor Sentiments, but I will not answere whether I shall have any thanks for my pains, but it may be a Mistaken Zeal; but let that be as it will. If ye Resentment be what has been Suggested to me I think it will not beare ye Scanning here, tho' ye affaire is not of any great Importance. You need not take any notice of what I have hinted in this matter for some reasons.

Praying my Service to Mr. Perry all under my Roofe and y^{r} and y^{r} Ladys Servant, I am in great truth D^{r} Sir,

Y^{r} most Faithful &c.,

N. BLAKISTON.

DECISIONS OF VIRGINIA GENERAL COURT, 1626–1628.

THE PROVOST MARSHALL'S FEES.

For an arrest £ ——— 1^{t} Tob^{o} one bushell of corne.

For Imprisonmt. { at coming £ —— 2^{t}—one bush. of corne. / at going out, —— 2^{t}—one bush. of corne.

For setting by ye heeles, £—5 ——.

For warning to ye Court, £—5 ——.

For punishing any man by whipping, pillory, ducking, &c. £ —— 10^{t}.

Uppon the ordering of any act in Court £ ——— 1^{t}.

JURIS CURIA.

A court at James Citty, 10th day of Janurary, 1626, being Present S^r^ George Yeardly Governor, &c., Capt: Smyth, Capt. Mathewes, Mr. Persey, Mr. Claybourne, Capt. Tucker, & Mr. Ferrar.

The Governer at this court intimated his intent to take upp one thousand acres of land as his divident, lying uppon Blunt Point River, and bounded easterly by a creeke that devideth it from the land of Robin Toole & Lt. Teppet, next adjoining to their houses now built, and soe extending westerly alonge the banks of y^t^ river soe far as unto y^e^ same quantity of land appertaineth northerly uppon the said Blunt Point River and Southerly uppon the Maine River, wch. thing, the court hath condescended unto.

Whereas the last Court day there was leave given to the inhabitants Pasbehayas to remove themselves from that place, the court now doth determine neither to constrain them nor any other y^e^ inhabitants of y^e^ maine to stay and inhabit there.

A court at James Citty the 11th of Janurary, 1626, being Present S^r^ George Yeardley Knt. Governor, &c., Capt. West, Capt: Smyth, Capt. Mathewes, Mr. Persey, Mr. Claybourne, Capt: Tucker, & Mr. Ferrar.

At this court Tho: Doe had leave given unto him to remove from Kecoughtan & Plant at Hogg Island.

At this court Henry Gainye was presented before ye Governor & Councill by ye provost Marshall for drunkennes, whereuppon it was ordered that hee should enter into bond of his good behavior of 300^l^ of Tobo. & pay the Provost Marshall twenty weight of Tobo. as being the halfe of his fine & due for informing.

The same time Robert Adams was Presented likewise for drunkennes by ye Provost Marshall, & ye like censure inflicted on him as is upon ye said Henry Gainy.

A court at James Citty, the 12 Janurary, 1626, being Present S^r^ George Yeardly, Knt. Governor, &c., Capt: West, Capt: Smyth, Capt. Mathewes, Mr. Persey, Mr. Claybourne, Capt: Tucker, Mr. Farrar.

At this court James Tooke had permission given him to remove fro. the Maine w^th^ out James Citty & Plant at Mulberry Hand.

In regard to divers inconveniences wch appeare to have happened by the granting of generall warrants in this colony, too longe to relate, it is ordered that there be none hereafter granted, but that it may be lawful to put as many in any single warrant as shall be inhabiting wth. in any one plantation.

The 13th day of Janurary, 1626, all being present, as ye day before, the Governor & Councill taking into their consideration the inconveniences that might happen uppon ye arrivall of any forreign enemy, w^th^ out some speciall order taken what courses should be followed if any such thing should come to pass, uppon full debate hereof have been ordered and appointed that as concerning the inhabitants of Elizabeth Citty these instructions following be observed, viz: That uppon the arrivall of any such number of shipps upon wch. the Commander there Capt. William Tucker, shall have just occasion of suspect shall forth^w^th^ speed away a boate to ye Governor & then give present Comand to all the inhabitants, that all his best & most able men be w^th^ all possible haste asscembled, & drawne together to their colours to w^th^ stand & hinder the landing of any enemy by all possible means, and that he appoint another partye out of ye rest in his best discretion & give them instruction to gather the woemen & children and unserviceable People and all their cattle to gether, & by their best means to repaire to Mathewes Manno^r^, where they shall receive further order. And a third party, amongst whom to be some honest, discreet men that may be allwayes ready soever to save it from the enimy and upon order from ye Comander to fire any houses and give their attendance about him for Such Services. It is also thought fitt yt ye Comander uppon any suspect as aforesaid of a forreine enemy, doe cause all the boats and Shalops to be filled w^th^ such provisions as ye people have & to send them pr'sently up to Newports Newes, where they may be ready uppon order given to run up to Matthewes Manno^r^, there to be disposed and ordered for their best Safetye. And it is further agreed uppon & resolved that strict proclamation be published then and through ye whole Colony that noe

person whatsoever doe parly or speake any wordes or make any signs or shewes of parly, uppon paine of death. And if any man shall dare to parly or speake to ye enemy it shall then be lawfull for the Comander in chiefe there to call a marshalls Court and doe p'sent execution. And if the said Comander then doe find ye enemy to be of noe great force than he may then be himself able to wth Stand, that hee doe not then rashly give order for the fireing of any houses, but doe loose them by degrees at as high a rate as he can, still preventing neverthelesse the enemye's seizing on them by firing first.

The Court taking into consideration that the next ensueing yeare there will be many tenants & servants freed, unto whom after their freedome there will be noe land due whereby they may wth out some order taken to the contrary, settle and seat themselves disposedly, & in noe such convenient order whereby to be a strength to ye colony, have here uppon thought fitt and accordingly ordered that the Governo^{r} & Councill may give unto ye said servants and tenants leases for terme of years, of such quantities of land as shal be needfull, proportionatly to y^{e} familyes of such, as in that nature shall take leases of any comon lands as yett untaken up by any adventurers or planters wth in ye Colony; yeilding & paying yearly for every acre one pound of Tobacco.

The Court hath alsoe thought fitt wth ye first means for many considerations to seat a sufficient party at Kiskyacke, both in regard of ye opportunity we shall thereby have to annoy ye Indians; & if a good retreate, and release we may have beene overforced by too powerfull a forreine enemy. And farther doe resolve that noe people shal be suffered to Sitt downe in discomodious places whereby they shall not consist of sufficient strength.

It is ordered that Richard Proctor of Martin's hundred for his offence in taxing Capt: Hamer, deceased, and Mr. Persey unjustly of extortion, and saying that they were unfitt to sett at ye Councill, shall suffer one month's imprisonment, and shal be at the end thereof Sett in ye pillory & have his eares nailed, & shall lastly give bond of 300^{l} of Tob^{o} wth sufficient suertyes for his good behavior and to appear at y^{e} next Quarter Court.

At this court Capt: Samuel Mathewes moved to have license

and permission granted unto him to goe into ye Bay & trade for corne, where uppon the court taking into their consideration the great losse and damage that happened this harvest by ill wether & great winds whereby a very great part of * crops fayled, and it is to be feared leaste some Scarcety of corne may ensue in this colony, have thought fitt & accordingly ordered, that not^{wth}standing all former proclamations published and Sett forth to ye contrary, it shall and may be lawfull for such as shall be in want of corne, having obtained leave, to go into ye Bay & then trade for corne. And in particular doe think fitt yt ye said Capt: Matthewes having sufficiently provided himselfe wth a good companye of men & boats amunition, armes, offensive and defensive, to go a trading into any part of the Bay of Chesapeake, and that he shall have a comission from the governor for ye same purposes.

A Court at James Citty the 19th of February 1626 being present Mr. Dr. Pott, Capt. Smyth, Capt. Mathewes, Mr. Secretary and Mr. Ferrar.

It is ordered that John Ewins for his offence in that he hath lewdly behaved himselfe towards Jane Hill and layne wth her divers times, Shall receive forty Strypes wth a whippe here at James Citty and then be sent up to the plantations at Shirley Hundred where he comitted the fact & receive forty Strypes more before the officers and people of that place.

It is likewise ordered that Jane Hill for that shee hath often times comitted fornication with John Ewins, shall upon the next Sunday during the time of divine Service stand * * church in a White Sheete at James Citty and * * ards be sent * * * * * and there * * * * * *

[TO BE CONTINUED.]